UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,128	07/10/2001	Ryan Shillington	T00053	7988

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EXAMINER
WILSON, YOLANDA L

ART UNIT	PAPER NUMBER
2113	

NOTIFICATION DATE	DELIVERY MODE
07/21/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	09/902,128	SHILLINGTON ET AL.
	Examiner	Art Unit
	Yolanda L. Wilson	2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 October 2007</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-44</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-44</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   In view of the Appeal Brief filed on 10/18/2007, PROSECUTION IS HEREBY

REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the

following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply

under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed

by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and

appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth

in 37 CFR 41.20 have been increased since they were previously paid, then appellant

must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by

signing below:

/Robert W. Beausoliel, Jr./
Supervisory Patent Examiner, Art Unit 2113.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
art are such that the subject matter as a whole would have been obvious at the time the invention was
made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall
not be negatived by the manner in which the invention was made.

Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Krebs et al. (USPN 6668369B1) in view of Boxall et al. (6263456B1). As appears in

claims 1,7, 8,17, Krebs et al. discloses executing a web browser at the workstation in

column 4, lines 30-32. Krebs et al. discloses invoking the application program and the

debugger program using a user interface provided by the web browser and via a

network interface to cause the server to execute the application program in column 4,

lines 30-39 and column 3, lines 19-21.

Krebs et al. discloses receiving a first web page from the server for displaying a

user frame in the web browser at the workstation; displaying the user frame of the first

web page in the web browser at the workstation, wherein the user frame includes

information generated by the application program in column 4, lines 37-39 and column

3, lines 19-21. The user frame is the interpretation shown in the web page of what code

is written in the source code file.

Krebs et al. discloses displaying a debug view option in the web browser at the

workstation for generating a second web page having a debug frame of the application

program; and displaying the debug frame of the second web page in the web browser at

the workstation wherein the debug frame includes information about one or more

components of the application program in column 4, lines 39-45 and column 4, line 50 –

column 5, line 7.

Krebs et al. fails to explicitly state to cause the server to execute the debugger

program; receiving the second web page from the server for displaying the debug frame

in the web browser at the workstation when the debug view option is selected.

Boxall et al. discloses this limitation in column 3, line 61- column 4, line 2; column 4, lines 7-37.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to cause the server to execute the debugger program; receiving the second web page from the server for displaying the debug frame in the web browser at the workstation when the debug view option is selected. A person of ordinary skill in the art would have been to cause the server to execute the debugger program; receiving the second web page from the server for displaying the debug frame in the web browser at the workstation when the debug view option is selected because the debugging is performed conveniently from a remote workstation. See column 3, lines 51-66 of Boxall et al.

3.   As per claims 2 and 18, Krebs et al. discloses providing a user view option at the workstation for generating the user frame and displaying the user frame when the user view option is selected in column 4, lines 37-39 and column 3, lines 19-21.

4.   As per claims 3,19, Krebs et al. discloses displaying the debug frame of the second web page in the web browser at the workstation includes providing a list of variable names in the application program in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

5.   As per claim 4, Krebs et al. discloses displaying the debug frame of the second web page in the web browser at the workstation includes providing at least one of: a list of request information variable names in the application program or a list of session

information variable names in the application program in column 4, lines 39-45 and

column 4, line 50 – column 5, line 7.

6.   As per claim 5, Krebs et al. discloses wherein one or more of the variable names

represents a corresponding object, the method further comprising: selecting one of the

variable names; and providing information about the object corresponding to the

variable name on the debug frame in column 4, lines 39-45 and column 4, line 50 –

column 5, line 7.

7.   As per claim 6, Krebs et al. discloses wherein the information about the object

includes at least one of: the fields of the object, the methods associated with the object

or the constructors associated with the object in column 4, lines 39-45 and column 4,

line 50 – column 5, line 7.

8.   As per claims 9, 15,16,21, Krebs et al. discloses executing the application

program on the server when the application program is invoked from the workstation in

column 4, lines 30-32.

        Krebs et al. discloses generating information for a first web page wherein the first

web page comprises a user frame that includes information generated by the

application program; transmitting the first web page to the workstation in column 4, lines

37-39 and column 3, lines 19-21.

        Krebs et al. discloses generating information for a second web page wherein the

second web page comprises a debug frame when a debug view option is selected from

the workstation wherein the debug frame includes information about components of the

application program in column 4, lines 39-45 and column 4, lines 50 – column 5, line 7.

Krebs et al. fails to explicitly state executing the debugger program on the server; transmitting the second web page to the workstation.

Boxall et al. discloses this limitation in column 3, line 61- column 4, line 2; column 4, lines 7-37.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to execute the debugger program on the server; transmitting the second web page to the workstation. A person of ordinary skill in the art would have been to execute the debugger program on the server; transmitting the second web page to the workstation because the debugging is performed conveniently from a remote workstation. See column 3, lines 51-66 of Boxall et al.

9.   As per claims 10 and 22, Krebs et al. discloses wherein generating information for second web page includes saving the information for the user frame when the debug view option is selected in column 4, lines 37-45 and column 4, line 50 – column 5, line 7. The information is saved because the user frame and the debug view are in two separate windows.

10.   As per claims 11 and 23, Krebs et al. discloses restoring the saved information for the user frame when a user view option is selected at the workstation in column 4, lines 37-45 and column 4, line 50 – column 5, line 7. The information is saved because the user frame and the debug view are in two separate windows.

11.   As per claim 12, Krebs et al. discloses generating information for the second web page includes generating a list of components of the application program in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

As per claim 13, Krebs et al. discloses wherein generating information for the second web page includes generating at least one of: a list of variables in the application program, a list of methods associated with one or more of the variables in the application program, or a list of constructors with one or more of the variables in the application program in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

As per claim 14, Krebs et al. discloses wherein generating information for the second web page includes using reflection technology to generate at least one of: a list of variables in the application program, a list of methods associated with one or more of the variables, and a list of constructors associated with one or more of the variables in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

12.   As per claim 20, Krebs et al. discloses means for presenting information about the selected object, wherein the information about the object includes at least one of: the name of the object, the fields of the object, the methods associated with the object, or the constructors associated with the object in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

13.   As per claim 22, Krebs et al. discloses means for saving the information for the user frame when the debug view option is selected in column 4, lines 39-45 and column 4, line 50 – column 5, line 7. The information is saved because the user frame and the debug view are in two separate windows.

14.   As per claim 24, Krebs et al. discloses means for generating a list of objects in the application program in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

15.   As per claim 25, Krebs et al. discloses wherein means for generating a list of objects in the application program includes at least one of: a list of methods associated with one or more of the objects in the application program, or a list of constructors with one or more of the objects in the application program in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

16.   As per claim 26, Krebs et al. discloses wherein the means for using reflection technology to generate at least one of: a list of objects in the application program, a list of methods associated with one or more of the objects, and a list of constructors associated with one or more of the objects in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

17.   As per claim 27, Krebs et al. discloses means for providing the list of objects to the workstation in a web page when the debug view option is selected at the workstation in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

18.   As per claim 28, Krebs et al. discloses means for providing in a web page at lest one of: a list of names of the objects, a list of fields of at least one of the objects, a list of values of at least one of the objects, the list of methods associated with at least one of the objects in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

19.   As per claim 29, Krebs et al. discloses interact with a web page display by the web browser to allow a user to invoke the application program and the debugger program from the workstation to cause the server to execute the application program in column 4, lines 30-39 and column 3, lines 19-21.

Krebs et al. discloses executing a web browser at the workstation in column 4, lines 30-32.

Krebs et al. discloses present a first web page in the web browser wherein the first web page comprises a user frame that includes information generated by the application program in column 4, lines 37-39 and column 3, lines 19-21.

Krebs et al. discloses present a debug view option to generate a second web page having a debug frame of the application program; and present the debug frame of the second web page when the debug view option is selected wherein the debug frame includes information about one or more components of the application program in column 4, lines 39-45 and column 4, lines 50 – column 5, line 7.

Krebs fails to explicitly state to cause the server to execute the debugger program.

Boxall et al. discloses this limitation in column 3, line 61- column 4, line 2; column 4, lines 7-37.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to cause the server to execute the debugger program. A person of ordinary skill in the art would have been to cause the server to execute the debugger program because the debugging is performed conveniently from a remote workstation. See column 3, lines 51-66 of Boxall et al.

20.   As per claim 30, Krebs et al. discloses present a user view option at the workstation and present the user frame when the user view option is selected in column 4, lines 37-39 and column 3, lines 19-21.

21.   As per claim 31, Krebs et al. discloses the debug frame at the workstation

includes a list of one or more components of the application program in column 4, lines

39-45 and column 4, lines 50 – column 5, line 7.

22.   As per claims 32,42, Krebs et al. discloses the application program generates

instructions and information for displaying the web pages in column 4, lines 30-45 and

column 4, lines 50 – column 5, line 7.

23.   As per claim 33, Krebs et al. discloses wherein the web browser is operable to

display graphical user controls to allow the workstation to communicate with the server

in column 4, lines 30-45 and column 4, lines 50 – column 5, line 7.

24.   As per claim 34, Krebs et al. discloses wherein the web browser is operable to

present a third web page and the third web page comprises additional information about

at least one of the components when the component is selected by the user in column

4, lines 39-45 and column 4, lines 50 – column 5, line 7. The additional web pages are

the debug views provided by the debugging tool.

25.   As per claim 35, Krebs et al. discloses wherein the additional information

includes at least one of: the name of the component, the fields of the component, the

methods associated with the component, or the constructors associated with the

component in column 4, lines 39-45 and column 4, lines 50 – column 5, line 7.

26.   As per claim 36, Krebs et al. discloses means for executing the application

program on the server when the application program is invoked from the workstation in

column 4, lines 30-39 and column 3, lines 19-21.

Krebs et al. discloses means for generating information for a first web page wherein the first web page comprises a user frame that includes information generated by the application program; transmitting the first web page to the workstation in column 4, lines 37-39 and column 3, lines 19-21.

Krebs et al. discloses a debugger program operation to generate information for a second web page wherein the second web page comprises a debug frame when a debug view option is selected from the workstation wherein the debug frame includes information about components of the application program; and transmitting the second web page to the workstation in column 4, lines 39-45 and column 4, lines 50 – column 5, line 7.

Krebs fails to explicitly state means for executing the debugger program on the server.

Boxall et al. discloses this limitation in column 3, line 61- column 4, line 2; column 4, lines 7-37.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have means for executing the debugger program on the server. A person of ordinary skill in the art would have been to have means for executing the debugger program on the server because the debugging is performed conveniently from a remote workstation. See column 3, lines 51-66 of Boxall et al.

27.   As per claim 37, Krebs et al. discloses wherein the debugger program is operable to save the information for the user frame when the debug view option is selected in column 4, lines 39-45 and column 4, line 50 – column 5, line 7. The

information is saved because the user frame and the debug view are in two separate windows.

28.   As per claim 38, Krebs et al. discloses wherein the debugger program is operable to restore the saved information for the user frame when a user view option is selected at the workstation in column 4, lines 39-45 and column 4, line 50 – column 5, line 7. The information is saved because the user frame and the debug view are in two separate windows.

29.   As per claim 39, Krebs et al. discloses wherein the debugger program is operable to generate a list of objects of the application program in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

30.   As per claim 40, Krebs et al. discloses wherein the debugger program is operable to generate at least one of: a list of methods associated with one or more of the variables in the application program, or a list of constructors with one or more of the variables in the application program in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

31.   As per claim 41, Krebs et al. discloses wherein the debugger program is operable to use reflection technology to generate at least one of: a list of objects in the application program, a list of methods associated with one or more of the objects, and a list of constructors associated with one or more of the objects in column 4, lines 39-45 and column 4, line 50 – column 5, line 7.

32.   As per claim 43, Krebs et al. discloses the server is operable to communicate with a web browser program at the workstation in column 4, lines 30-45.

33.   As per claim 44, Krebs et al. discloses the application program accesses at least

one of internal code, private code, or public code in column 4, lines 39-45 and column 4,

line 50 – column 5, line 7.

Claim Rejections - 35 USC § 101

34.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

35.   Claims 17,21,36 are rejected under 35 U.S.C. 101 because the claimed invention

is directed to non-statutory subject matter. Claims 17,21, and 36 disclose 'means for'

limitations which, as disclosed in pages 8-10, are performed by software. Claims 17 and

21 are being rejected preemptively under 35 U.S.C. 101 because if 'the method

comprising' should be 'the apparatus comprising' the 'means for' limitations are non-

statutory for being software in a hardware system not stored in memory.

36.   Claims 8,16 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. Claims 8 and 16 disclose 'A signal in a carrier

medium comprising: computer instructions…' A signal storing instructions is not

statutory subject matter.

37.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

38.   Claims 17,21 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Claims 17 and 21 disclose, "An apparatus…, the

method comprising:..." It is unclear as to what category of invention these claims are supposed to be.

Response to Arguments

39.   Applicant's arguments with respect to the rejection(s) of claim(s) 1-44 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made using the Krebs and Boxall references. Please see the above rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda L. Wilson whose telephone number is (571) 272-3653. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yolanda L Wilson/
Primary Examiner, Art Unit 2113